

105TH CONGRESS
2D SESSION

S. 1610

To increase the availability, affordability, and quality of child care.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 4, 1998

Mr. DODD (for himself, Mr. DASCHLE, Mr. KENNEDY, Mr. INOUE, Mr. AKAKA, Mr. BIDEN, Mr. BINGAMAN, Mr. DORGAN, Mr. DURBIN, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. HARKIN, Mr. KERREY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Ms. MIKULSKI, Ms. MOSELEY-BRAUN, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROCKEFELLER, Mr. WELLSTONE, Mr. BUMPERS, Mrs. BOXER, and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To increase the availability, affordability, and quality of child care.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Child Care ACCESS (Affordable Child Care for Early
6 Success and Security) Act”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

TITLE I—IMPROVING THE AFFORDABILITY OF CHILD CARE

Sec. 101. Increased appropriations for child care grants.

TITLE II—ENHANCING THE QUALITY OF CHILD CARE AND EARLY CHILDHOOD DEVELOPMENT

Sec. 201. Grants to improve the quality of child care and early childhood development.

TITLE III—EXPANDING THE AVAILABILITY AND QUALITY OF SCHOOL-AGE CHILD CARE

Sec. 301. Appropriations for after-school care.

Sec. 302. Amendments to the 21st Century Community Learning Centers Act.

TITLE IV—SUPPORTING FAMILY CHOICES IN CHILD CARE

Sec. 401. Expanding the dependent care tax credit.

Sec. 402. Minimum credit allowed for stay-at-home parents.

Sec. 403. Credit made refundable.

Sec. 404. Expansion of the Family and Medical Leave Act.

TITLE V—ENCOURAGING PRIVATE SECTOR INVOLVEMENT

Sec. 501. Allowance of credit for employer expenses for child care assistance.

Sec. 502. Grants to support public-private partnerships.

TITLE VI—ENSURING THE QUALITY OF FEDERAL CHILD CARE CENTERS

Sec. 601. Quality child care for Federal employees.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Each day an estimated 13,000,000 children
4 spend some part of their day in child care.

5 (2) Fifty-four percent of mothers with children
6 between the ages of 0–3 are in the work force.
7 Labor force participation rises to 63 percent for
8 mothers with children under the age of 6, and to 78
9 percent for mothers with children ages 6–17.

1 (3) The availability of child care that is reliable,
2 convenient, and affordable helps parents to reach
3 and maintain self-sufficiency and is essential to
4 making the transition from welfare to work.

5 (4) Only an estimated 1 out of 10 eligible fami-
6 lies receive assistance in paying for child care
7 through the Child Care Development Block Grant
8 Act of 1990.

9 (5) Full-day child care can cost \$4,000 to
10 \$9,000 a year.

11 (6) In many instances, high quality child care
12 services cost little more than mediocre services. An
13 investment of only an additional 10 percent has been
14 found to have a significant impact on quality.

15 (7) Only 1 in 7 child care centers provides care
16 that promotes healthy development. Child care at 1
17 in 8 centers actually threatens children's health and
18 safety.

19 (8) The education, training, and salary of a
20 child care provider make the difference between poor
21 and good quality child care.

22 (A) The average salary of a child care pro-
23 vider in a center is only \$12,058 a year, which
24 is approximately equal to the poverty level for
25 a family of 3.

1 (B) Home-based providers earn \$9,000 a
2 year on average.

3 (9) Poor compensation and limited opportuni-
4 ties for professional training and education contrib-
5 ute to high turnover among child care providers,
6 which disrupts the creation of strong provider-child
7 relationships that are critical to children's healthy
8 development.

9 (10) Children placed in poor quality child care
10 settings have been found to have delayed language
11 and reading skills, as well as an increase in aggres-
12 sive behavior toward other children and adults.

13 (11) Nearly 5,000,000 children are home alone
14 after school each week.

15 (12) Although it is thought that juvenile crime
16 occurs mostly on evenings and weekends, juvenile
17 crime actually peaks between 3 and 6 p.m.

18 (13) Eighth-graders left home alone after
19 school report greater use of cigarettes, alcohol, and
20 marijuana than those in adult-supervised settings.

21 (14) The Family and Medical Leave Act of
22 1993 has provided employees with a significant new
23 tool in balancing the needs of their families with the
24 demands of work.

1 (15) The number of single-parent households
2 and two-parent households in which the single par-
3 ent or both parents work is increasing significantly.

4 (16) The Family and Medical Leave Act of
5 1993 has had a minimal impact on business, and
6 over 90 percent of private employers covered by the
7 Act experienced little or no cost and a minimal or
8 positive impact on productivity as a result of the
9 Act.

10 (17) Only 57 percent of the private workforce
11 is currently protected by the Family and Medical
12 Leave Act of 1993.

13 (18) 13,000,000 more private employees, or an
14 additional 14 percent of the private workforce, would
15 be protected by the Family and Medical Leave Act
16 of 1993 if the Act was expanded to cover private
17 employers with 25 or more employees.

18 **TITLE I—IMPROVING THE**
19 **AFFORDABILITY OF CHILD CARE**

20 **SEC. 101. INCREASED APPROPRIATIONS FOR CHILD CARE**
21 **GRANTS.**

22 Section 418(a)(3) of the Social Security Act (42
23 U.S.C. 618(a)(3)) is amended by striking subparagraphs
24 (C) through (F) and inserting the following:

25 “(C) \$3,167,000,000 for fiscal year 1999;

1 “(D) \$3,367,000,000 for fiscal year 2000;

2 “(E) \$4,067,000,000 for fiscal year 2001;

3 “(F) \$4,717,000,000 for fiscal year 2002;

4 and

5 “(G) \$4,717,000,000 for fiscal year

6 2003.”.

7 **TITLE II—ENHANCING THE**
 8 **QUALITY OF CHILD CARE AND**
 9 **EARLY CHILDHOOD DEVELOP-**
 10 **MENT**

11 **SEC. 201. GRANTS TO IMPROVE THE QUALITY OF CHILD**
 12 **CARE AND EARLY CHILDHOOD DEVELOP-**
 13 **MENT.**

14 Section 418 of the Social Security Act (42 U.S.C.
 15 618) is amended by adding at the end the following:

16 “(e) GRANTS TO IMPROVE THE QUALITY OF CHILD
 17 CARE AND EARLY CHILDHOOD DEVELOPMENT.—

18 “(1) SECRETARIAL AUTHORITY.—The Secretary
 19 shall use the amounts appropriated under paragraph
 20 (2) to make grants to States in accordance with this
 21 subsection.

22 “(2) APPROPRIATION.—For grants under this
 23 section, there are appropriated—

24 “(A) \$250,000,000 for fiscal year 1999;

25 “(B) \$400,000,000 for fiscal year 2000;

1 “(C) \$600,000,000 for fiscal year 2001;

2 “(D) \$750,000,000 for fiscal year 2002;

3 and

4 “(E) \$1,000,000,000 for fiscal year 2003.

5 “(3) ALLOTMENTS TO STATES.—The amounts
6 appropriated under paragraph (2) for payments to
7 States under this paragraph shall be allotted among
8 the States in the same manner as amounts (includ-
9 ing the redistribution of unused amounts) are allot-
10 ted or redistributed, as the case may be, under sub-
11 section (a)(2), except that the matching requirement
12 of subsection (a)(2)(C) shall not apply to a grant
13 made under this subsection.

14 “(4) USE OF FUNDS.—Funds received by a
15 State through a grant made under this subsection
16 may be used for any of the following:

17 “(A) Bringing provider-child ratios up to
18 standards recommended by nationally recog-
19 nized child care accrediting bodies.

20 “(B) Improving the enforcement of licens-
21 ing standards, including the use of unan-
22 nounced inspections of child care providers.

23 “(C) Conducting background checks on
24 child care providers.

1 “(D) Providing increased payment rates
2 for child care services for infants and for chil-
3 dren with special health care needs.

4 “(E) Providing increased payment rates
5 for child care services offered by licensed or ac-
6 credited providers.

7 “(F) Improving the compensation of child
8 care providers.

9 “(G) Assisting child care providers in be-
10 coming licensed or accredited.

11 “(H) Expanding activities to educate par-
12 ents on the availability and quality of child
13 care, including the development and operation
14 of resource and referral systems.

15 “(I) Creating support networks for family
16 child care providers.

17 “(J) Establishing linkages between child
18 care services and health care services.

19 “(K) Offering training and education to
20 child care providers, including offering scholar-
21 ships and tax credits to assist with the expenses
22 of obtaining such training and education.

23 “(L) Providing family support and parent
24 education.

1 “(M) Ensuring the availability and quality
 2 of child care for children with special health
 3 care needs.”.

4 **TITLE III—EXPANDING THE**
 5 **AVAILABILITY AND QUALITY**
 6 **OF SCHOOL-AGE CHILD CARE**

7 **SEC. 301. APPROPRIATIONS FOR AFTER-SCHOOL CARE.**

8 (a) GRANTS.—Section 418 of the Social Security Act
 9 (42 U.S.C. 618), as amended by section 201, is amended
 10 by adding at the end the following:

11 “(f) GRANTS TO INCREASE THE AVAILABILITY AND
 12 QUALITY OF SCHOOL-AGE CHILD CARE.—

13 “(1) SECRETARIAL AUTHORITY.—The Secretary
 14 shall use the amounts appropriated under paragraph
 15 (2) to make grants to States in accordance with this
 16 subsection.

17 “(2) APPROPRIATION.—For grants under this
 18 section, there are appropriated—

19 “(A) \$250,000,000 for fiscal year 1999;

20 “(B) \$400,000,000 for fiscal year 2000;

21 “(C) \$600,000,000 for fiscal year 2001;

22 “(D) \$750,000,000 for fiscal year 2002;

23 and

24 “(E) \$1,000,000,000 for fiscal year 2003.

1 “(3) ALLOTMENTS TO STATES.—The amounts
 2 appropriated under paragraph (2) for payments to
 3 States under this paragraph shall be allotted among
 4 the States in the same manner as amounts (includ-
 5 ing the redistribution of unused amounts) are allot-
 6 ted or redistributed, as the case may be, under sub-
 7 section (a)(2), except that the matching requirement
 8 of subsection (a)(2)(C) shall not apply to a grant
 9 made under this subsection.

10 “(4) USE OF FUNDS.—Funds received by a
 11 State through a grant made under this subsection
 12 shall be used for the provision of child care services
 13 before and after regular school hours and during
 14 months in which schools are not in session.”.

15 (b) DEFINITION OF ELIGIBLE CHILD.—Section
 16 658P(4)(A) of the Child Care and Development Block
 17 Grant Act of 1990 (42 U.S.C. 9858n(4)(A)) is amended
 18 by striking “13” and inserting “16”.

19 **SEC. 302. AMENDMENTS TO THE 21ST CENTURY COMMU-**
 20 **NITY LEARNING CENTERS ACT.**

21 (a) PROGRAM AUTHORIZATION.—Section 10903 of
 22 the 21st Century Community Learning Centers Act (20
 23 U.S.C. 8243) is amended—

24 (1) in subsection (a)—

25 (A) by striking “rural and inner-city”; and

1 (B) by striking “a rural or inner-city com-
 2 munity” and inserting “communities”;

3 (2) in subsection (b), by striking “, among
 4 urban and rural areas of the United States, and
 5 among urban and rural areas of a State”;

6 (3) by redesignating subsections (c) and (d) as
 7 subsections (d) and (e), respectively; and

8 (4) by inserting after subsection (b) the follow-
 9 ing:

10 “(c) PRIORITY OF DISTRIBUTION.—In awarding
 11 grants under this part, the Secretary shall give priority
 12 to rural, urban, and low-income communities.”.

13 (b) APPLICATION REQUIREMENTS.—Section 10904
 14 of the 21st Century Community Learning Centers Act (20
 15 U.S.C. 8244) is amended—

16 (1) in subsection (a)(3)(B), by inserting “, in-
 17 cluding the programs under the Child Care and De-
 18 velopment Block Grant Act of 1990, ” after “coordi-
 19 nated”; and

20 (2) in subsection (b), by striking “a broad se-
 21 lection” and all that follows and inserting “child
 22 care services before or after regular school hours
 23 that include mentoring programs, academic assist-
 24 ance, recreational activities, or technology training,
 25 and that may include drug, alcohol, and gang pre-

1 vention, job skills preparation, or health and nutri-
2 tion counseling.”.

3 (c) USES OF FUNDS.—Section 10905 of the 21st
4 Century Community Learning Centers Act (20 U.S.C.
5 8245) is amended—

6 (1) in the matter preceding paragraph (1), by
7 striking “not less than four” and inserting “any”;
8 and

9 (2) by striking paragraph (3) and inserting the
10 following:

11 “(3) Child care services.”.

12 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
13 10907 of the 21st Century Community Learning Centers
14 Act (20 U.S.C. 8247) is amended by striking
15 “\$20,000,000 for fiscal year 1995” and inserting
16 “\$200,000,000 for fiscal year 1999”.

17 **TITLE IV—SUPPORTING FAMILY** 18 **CHOICES IN CHILD CARE**

19 **SEC. 401. EXPANDING THE DEPENDENT CARE TAX CREDIT.**

20 (a) PERCENTAGE OF EMPLOYMENT-RELATED EX-
21 PENSES DETERMINED BY TAXPAYER STATUS.—Section
22 21(a)(2) of the Internal Revenue Code of 1986 (defining
23 applicable percentage) is amended to read as follows:

1 “(2) APPLICABLE PERCENTAGE DEFINED.—For
 2 purposes of paragraph (1), the term ‘applicable per-
 3 centage’ means—

4 “(A) except as provided in subparagraph
 5 (B), 50 percent reduced (but not below 20 per-
 6 cent) by 1 percentage point for each \$1,000, or
 7 fraction thereof, by which the taxpayers’s ad-
 8 justed gross income for the taxable year exceeds
 9 \$30,000, and

10 “(B) in the case of employment-related ex-
 11 penses described in subsection (e)(11), 50 per-
 12 cent reduced (but not below zero) by 1 percent-
 13 age point for each \$800, or fraction thereof, by
 14 which the taxpayers’s adjusted gross income for
 15 the taxable year exceeds \$30,000.”.

16 (b) INFLATION ADJUSTMENT FOR ALLOWABLE EX-
 17 PENSES.—Section 21(c) of the Internal Revenue Code of
 18 1986 (relating to dollar limit on amount creditable) is
 19 amended by striking “The amount determined” and in-
 20 serting “In the case of any taxable year beginning after
 21 1998, each dollar amount referred to in paragraphs (1)
 22 and (2) shall be increased by an amount equal to such
 23 dollar amount multiplied by the cost-of-living adjustment
 24 determined under section 1(f)(3) for the calendar year in
 25 which the taxable year begins, by substituting ‘calendar

1 year 1997’ for ‘calendar year 1992’ in subparagraph (B)
 2 thereof. If any dollar amount after being increased under
 3 the preceding sentence is not a multiple of \$10, such dollar
 4 amount shall be rounded to the nearest multiple of \$10.
 5 The amount determined”.

6 (c) EFFECTIVE DATE.—The amendments made by
 7 this section apply to taxable years beginning after Decem-
 8 ber 31, 1998.

9 **SEC. 402. MINIMUM CREDIT ALLOWED FOR STAY-AT-HOME**
 10 **PARENTS.**

11 (a) IN GENERAL.—Section 21(e) of the Internal Rev-
 12 enue Code of 1986 (relating to special rules) is amended
 13 by adding at the end the following:

14 “(11) MINIMUM CREDIT ALLOWED FOR STAY-
 15 AT-HOME PARENTS.—Notwithstanding subsection
 16 (d), in the case of any taxpayer with one or more
 17 qualifying individuals described in subsection
 18 (b)(1)(A) under the age of 1 at any time during the
 19 taxable year, such taxpayer shall be deemed to have
 20 employment-related expenses with respect to such
 21 qualifying individuals in an amount equal to the sum
 22 of—

23 “(A) \$90 for each month in such taxable
 24 year during which at least one of such qualify-
 25 ing individuals is under the age of 1, and

1 “(B) the amount of employment-related ex-
 2 penses otherwise incurred for such qualifying
 3 individuals for the taxable year (determined
 4 under this section without regard to this para-
 5 graph).”.

6 (b) EFFECTIVE DATE.—The amendments made by
 7 this section apply to taxable years beginning after Decem-
 8 ber 31, 1998.

9 **SEC. 403. CREDIT MADE REFUNDABLE.**

10 (a) IN GENERAL.—Part IV of subchapter A of chap-
 11 ter 1 of the Internal Revenue Code of 1986 (relating to
 12 credits against tax) is amended—

13 (1) by redesignating section 35 as section 36,
 14 and

15 (2) by redesignating section 21 as section 35.

16 (b) ADVANCE PAYMENT OF CREDIT.—Chapter 25 of
 17 such Code (relating to general provisions relating to em-
 18 ployment taxes) is amended by inserting after section
 19 3507 the following:

20 **“SEC. 3507A. ADVANCE PAYMENT OF DEPENDENT CARE**
 21 **CREDIT.**

22 “(a) GENERAL RULE.—Except as otherwise provided
 23 in this section, every employer making payment of wages
 24 with respect to whom a dependent care eligibility certifi-
 25 cate is in effect shall, at the time of paying such wages,

1 make an additional payment equal to such employee's de-
2 pendent care advance amount.

3 “(b) DEPENDENT CARE ELIGIBILITY CERTIFI-
4 CATE.—For purposes of this title, a dependent care eligi-
5 bility certificate is a statement furnished by an employee
6 to the employer which—

7 “(1) certifies that the employee will be eligible
8 to receive the credit provided by section 35 for the
9 taxable year,

10 “(2) certifies that the employee reasonably ex-
11 pects to be an applicable taxpayer for the taxable
12 year,

13 “(3) certifies that the employee does not have
14 a dependent care eligibility certificate in effect for
15 the calendar year with respect to the payment of
16 wages by another employer,

17 “(4) states whether or not the employee's
18 spouse has a dependent care eligibility certificate in
19 effect,

20 “(5) states the number of qualifying individuals
21 in the household maintained by the employee, and

22 “(6) estimates the amount of employment-relat-
23 ed expenses for the calendar year.

24 “(c) DEPENDENT CARE ADVANCE AMOUNT.—

1 “(1) IN GENERAL.—For purposes of this title,
2 the term ‘dependent care advance amount’ means,
3 with respect to any payroll period, the amount deter-
4 mined—

5 “(A) on the basis of the employee’s wages
6 from the employer for such period,

7 “(B) on the basis of the employee’s esti-
8 mated employment-related expenses included in
9 the dependent care eligibility certificate, and

10 “(C) in accordance with tables provided by
11 the Secretary.

12 “(2) ADVANCE AMOUNT TABLES.—The tables
13 referred to in paragraph (1)(C) shall be similar in
14 form to the tables prescribed under section 3402
15 and, to the maximum extent feasible, shall be coordi-
16 nated with such tables and the tables prescribed
17 under section 3507(c).

18 “(d) OTHER RULES.—For purposes of this section,
19 rules similar to the rules of subsections (d) and (e) of sec-
20 tion 3507 shall apply.

21 “(e) DEFINITIONS.—For purposes of this section,
22 terms used in this section which are defined in section 35
23 shall have the respective meanings given such terms by
24 section 35.”.

25 (c) CONFORMING AMENDMENTS.—

1 (1) Section 35(a)(1) of such Code, as redesign-
2 nated by paragraph (1), is amended by striking
3 “chapter” and inserting “subtitle”.

4 (2) Section 35(e) of such Code, as so redesign-
5 nated and amended by subsection (c), is amended by
6 adding at the end the following:

7 “(12) COORDINATION WITH ADVANCE PAY-
8 MENTS AND MINIMUM TAX.—Rules similar to the
9 rules of subsections (g) and (h) of section 32 shall
10 apply for purposes of this section.”.

11 (3) Sections 23(f)(1) and 129(a)(2)(C) of such
12 Code are each amended by striking “section 21(e)”
13 and inserting “section 35(e)”.

14 (4) Section 129(b)(2) of such Code is amended
15 by striking “section 21(d)(2)” and inserting “section
16 35(d)(2)”.

17 (5) Section 129(e)(1) of such Code is amended
18 by striking “section 21(b)(2)” and inserting “section
19 35(b)(2)”.

20 (6) Section 213(e) of such Code is amended by
21 striking “section 21” and inserting “section 35”.

22 (7) Section 995(f)(2)(C) of such Code is
23 amended by striking “and 34” and inserting “34,
24 and 35”.

1 (8) Section 6211(b)(4)(A) of such Code is
 2 amended by striking “and 34” and inserting “, 34,
 3 and 35”.

4 (9) Section 6213(g)(2)(H) of such Code is
 5 amended by striking “section 21” and inserting
 6 “section 35”.

7 (10) The table of sections for subpart C of part
 8 IV of subchapter A of chapter 1 of such Code is
 9 amended by striking the item relating to section 35
 10 and inserting the following:

 “Sec. 35. Dependent care services.
 “Sec. 36. Overpayments of tax.”.

11 (11) The table of sections for subpart A of such
 12 part IV is amended by striking the item relating to
 13 section 21.

14 (12) The table of sections for chapter 25 of
 15 such Code is amended by adding after the item re-
 16 lating to section 3507 the following:

 “Sec. 3507A. Advance payment of dependent care credit.”.

17 (13) Section 1324(b)(2) of title 31, United
 18 States Code, is amended by inserting before the pe-
 19 riod “, or enacted by the Child Care ACCESS (Af-
 20 fordable Child Care for Early Success and Security)
 21 Act”.

1 (d) EFFECTIVE DATE.—The amendments made by
 2 this section apply to taxable years beginning after Decem-
 3 ber 31, 1998.

4 **SEC. 404. EXPANSION OF THE FAMILY AND MEDICAL LEAVE**
 5 **ACT.**

6 Paragraphs (2)(B)(ii) and (4)(A)(i) of section 101 of
 7 the Family and Medical Leave Act of 1993 (29 U.S.C.
 8 2611 (2)(B)(ii) and (4)(A)(i)) are amended by striking
 9 “50” each place it appears and inserting “25”.

10 **TITLE V—ENCOURAGING**
 11 **PRIVATE SECTOR INVOLVEMENT**

12 **SEC. 501. ALLOWANCE OF CREDIT FOR EMPLOYER EX-**
 13 **PENSES FOR CHILD CARE ASSISTANCE.**

14 (a) IN GENERAL.—Subpart D of part IV of sub-
 15 chapter A of chapter 1 of the Internal Revenue Code of
 16 1986 (relating to business related credits) is amended by
 17 adding at the end the following:

18 **“SEC. 45D. EMPLOYER-PROVIDED CHILD CARE CREDIT.**

19 “(a) ALLOWANCE OF CREDIT.—For purposes of sec-
 20 tion 38, the employer-provided child care credit deter-
 21 mined under this section for the taxable year is an amount
 22 equal to 25 percent of the qualified child care expenditures
 23 of the taxpayer for such taxable year.

1 “(b) DOLLAR LIMITATION.—The credit allowable
 2 under subsection (a) for any taxable year shall not exceed
 3 \$150,000.

4 “(c) DEFINITIONS.—For purposes of this section—

5 “(1) QUALIFIED CHILD CARE EXPENDITURE.—

6 “(A) IN GENERAL.—The term ‘qualified
 7 child care expenditure’ means any amount paid
 8 or incurred—

9 “(i) to acquire, construct, rehabilitate,
 10 or expand property—

11 “(I) which is to be used as part
 12 of a qualified child care facility of the
 13 taxpayer,

14 “(II) with respect to which a de-
 15 duction for depreciation (or amortiza-
 16 tion in lieu of depreciation) is allow-
 17 able, and

18 “(III) which does not constitute
 19 part of the principal residence (within
 20 the meaning of section 1034) of the
 21 taxpayer or any employee of the tax-
 22 payer,

23 “(ii) for the operating costs of a quali-
 24 fied child care facility of the taxpayer, in-
 25 cluding costs related to the training of em-

1 employees of the child care facility, to scholar-
 2 ship programs, to the providing of differen-
 3 tial compensation to employees based on
 4 level of child care training, and to expenses
 5 associated with achieving accreditation,

6 “(iii) under a contract with a qualified
 7 child care facility to provide child care
 8 services to employees of the taxpayer, or

9 “(iv) under a contract to provide child
 10 care resource and referral services to em-
 11 ployees of the taxpayer.

12 “(B) EXCLUSION FOR AMOUNTS FUNDED
 13 BY GRANTS, ETC.—The term ‘qualified child
 14 care expenditure’ shall not include any amount
 15 to the extent such amount is funded by any
 16 grant, contract, or otherwise by another person
 17 (or any governmental entity).

18 “(C) LIMITATION ON ALLOWABLE OPERAT-
 19 ING COSTS.—The term ‘qualified child care ex-
 20 penditure’ shall not include any amount de-
 21 scribed in subparagraph (A)(ii) if such amount
 22 is paid or incurred after the third taxable year
 23 in which a credit under this section is taken by
 24 the taxpayer, unless the qualified child care fa-
 25 cility of the taxpayer has received accreditation

from a nationally recognized accrediting body
before the end of such third taxable year.

“(2) QUALIFIED CHILD CARE FACILITY.—

“(A) IN GENERAL.—The term ‘qualified
child care facility’ means a facility—

“(i) the principal use of which is to
provide child care assistance, and

“(ii) which meets the requirements of
all applicable laws and regulations of the
State or local government in which it is lo-
cated, including, but not limited to, the li-
censing of the facility as a child care facil-
ity.

Clause (i) shall not apply to a facility which is
the principal residence (within the meaning of
section 1034) of the operator of the facility.

“(B) SPECIAL RULES WITH RESPECT TO A
TAXPAYER.—A facility shall not be treated as a
qualified child care facility with respect to a
taxpayer unless—

“(i) enrollment in the facility is open
to employees of the taxpayer during the
taxable year,

“(ii) the facility is not the principal
trade or business of the taxpayer unless at

1 least 30 percent of the enrollees of such fa-
 2 cility are dependents of employees of the
 3 taxpayer, and

4 “(iii) the costs to employees of child
 5 care services at such facility are deter-
 6 mined on a sliding fee scale.

7 “(d) RECAPTURE OF ACQUISITION AND CONSTRUC-
 8 TION CREDIT.—

9 “(1) IN GENERAL.—If, as of the close of any
 10 taxable year, there is a recapture event with respect
 11 to any qualified child care facility of the taxpayer,
 12 then the tax of the taxpayer under this chapter for
 13 such taxable year shall be increased by an amount
 14 equal to the product of—

15 “(A) the applicable recapture percentage,
 16 and

17 “(B) the aggregate decrease in the credits
 18 allowed under section 38 for all prior taxable
 19 years which would have resulted if the qualified
 20 child care expenditures of the taxpayer de-
 21 scribed in subsection (c)(1)(A) with respect to
 22 such facility had been zero.

23 “(2) APPLICABLE RECAPTURE PERCENTAGE.—

1 “(A) IN GENERAL.—For purposes of this
 2 subsection, the applicable recapture percentage
 3 shall be determined from the following table:

“If the recapture event occurs in:	The applicable recapture percentage is:
Years 1–3	100
Year 4	85
Year 5	70
Year 6	55
Year 7	40
Year 8	25
Years 9 and 10	10
Years 11 and thereafter	0.

4 “(B) YEARS.—For purposes of subpara-
 5 graph (A), year 1 shall begin on the first day
 6 of the taxable year in which the qualified child
 7 care facility is placed in service by the taxpayer.

8 “(3) RECAPTURE EVENT DEFINED.—For pur-
 9 poses of this subsection, the term ‘recapture event’
 10 means—

11 “(A) CESSATION OF OPERATION.—The
 12 cessation of the operation of the facility as a
 13 qualified child care facility.

14 “(B) CHANGE IN OWNERSHIP.—

15 “(i) IN GENERAL.—Except as pro-
 16 vided in clause (ii), the disposition of a
 17 taxpayer’s interest in a qualified child care
 18 facility with respect to which the credit de-
 19 scribed in subsection (a) was allowable.

1 “(ii) AGREEMENT TO ASSUME RECAP-
 2 TURE LIABILITY.—Clause (i) shall not
 3 apply if the person acquiring such interest
 4 in the facility agrees in writing to assume
 5 the recapture liability of the person dispos-
 6 ing of such interest in effect immediately
 7 before such disposition. In the event of
 8 such an assumption, the person acquiring
 9 the interest in the facility shall be treated
 10 as the taxpayer for purposes of assessing
 11 any recapture liability (computed as if
 12 there had been no change in ownership).

13 “(4) SPECIAL RULES.—

14 “(A) TAX BENEFIT RULE.—The tax for
 15 the taxable year shall be increased under para-
 16 graph (1) only with respect to credits allowed
 17 by reason of this section which were used to re-
 18 duce tax liability. In the case of credits not so
 19 used to reduce tax liability, the carryforwards
 20 and carrybacks under section 39 shall be appro-
 21 priately adjusted.

22 “(B) NO CREDITS AGAINST TAX.—Any in-
 23 crease in tax under this subsection shall not be
 24 treated as a tax imposed by this chapter for

1 purposes of determining the amount of any
 2 credit under subpart A, B, or D of this part.

3 “(C) NO RECAPTURE BY REASON OF CAS-
 4 UALTY LOSS.—The increase in tax under this
 5 subsection shall not apply to a cessation of op-
 6 eration of the facility as a qualified child care
 7 facility by reason of a casualty loss to the ex-
 8 tent such loss is restored by reconstruction or
 9 replacement within a reasonable period estab-
 10 lished by the Secretary.

11 “(e) SPECIAL RULES.—For purposes of this sec-
 12 tion—

13 “(1) AGGREGATION RULES.—All persons which
 14 are treated as a single employer under subsections
 15 (a) and (b) of section 52 shall be treated as a single
 16 taxpayer.

17 “(2) PASS-THRU IN THE CASE OF ESTATES AND
 18 TRUSTS.—Under regulations prescribed by the Sec-
 19 retary, rules similar to the rules of subsection (d) of
 20 section 52 shall apply.

21 “(3) ALLOCATION IN THE CASE OF PARTNER-
 22 SHIPS.—In the case of partnerships, the credit shall
 23 be allocated among partners under regulations pre-
 24 scribed by the Secretary.

25 “(f) NO DOUBLE BENEFIT.—

1 “(1) REDUCTION IN BASIS.—For purposes of
2 this subtitle—

3 “(A) IN GENERAL.—If a credit is deter-
4 mined under this section with respect to any
5 property by reason of expenditures described in
6 subsection (c)(1)(A), the basis of such property
7 shall be reduced by the amount of the credit so
8 determined.

9 “(B) CERTAIN DISPOSITIONS.—If during
10 any taxable year there is a recapture amount
11 determined with respect to any property the
12 basis of which was reduced under subparagraph
13 (A), the basis of such property (immediately be-
14 fore the event resulting in such recapture) shall
15 be increased by an amount equal to such recap-
16 ture amount. For purposes of the preceding
17 sentence, the term ‘recapture amount’ means
18 any increase in tax (or adjustment in
19 carrybacks or carryovers) determined under
20 subsection (d).

21 “(2) OTHER DEDUCTIONS AND CREDITS.—No
22 deduction or credit shall be allowed under any other
23 provision of this chapter with respect to the amount
24 of the credit determined under this section.”.

25 (b) CONFORMING AMENDMENTS.—

1 (1) Section 38(b) of the Internal Revenue Code
2 of 1986 is amended—

3 (A) by striking out “plus” at the end of
4 paragraph (11),

5 (B) by striking out the period at the end
6 of paragraph (12), and inserting a comma and
7 “plus”, and

8 (C) by adding at the end the following new
9 paragraph:

10 “(13) the employer-provided child care credit
11 determined under section 45D.”.

12 (2) The table of sections for subpart D of part
13 IV of subchapter A of chapter 1 of such Code is
14 amended by adding at the end the following new
15 item:

 “Sec. 45D. Employer-provided child care credit.”.

16 (c) EFFECTIVE DATE.—The amendments made by
17 this section shall apply to taxable years beginning after
18 December 31, 1998.

19 **SEC. 502. GRANTS TO SUPPORT PUBLIC-PRIVATE PARTNER-**
20 **SHIPS.**

21 (a) ESTABLISHMENT.—The Secretary of Health and
22 Human Services (in this section referred to as the “Sec-
23 retary”) shall establish a program to award grants to local
24 communities for the purpose of expanding the availability

1 of, and improving the quality of, child care on a commu-
 2 nity-wide basis.

3 (b) APPLICATION.—To be eligible to receive a grant
 4 under this section, a local community shall prepare and
 5 submit to the Secretary an application at such time and
 6 in such manner as the Secretary may require, and that
 7 includes—

8 (1) an assurance that the matching funds re-
 9 quired under subsection (c) will be provided;

10 (2) evidence of collaboration with parents,
 11 schools, employers, State and local government agen-
 12 cies, and child care agencies, including resource and
 13 referral agencies, in the preparation of the applica-
 14 tion;

15 (3) an assessment of child care resources and
 16 needs within the community; and

17 (4) any additional information that the Sec-
 18 retary may require.

19 (c) MATCHING REQUIREMENT.—To be eligible to re-
 20 ceive a grant under this section a local community shall
 21 provide assurances to the Secretary that the community
 22 will provide matching funds in the amount of \$1 for every
 23 \$2 provided under the grant. Such funds shall be gen-
 24 erated from private sources, including employers and phil-
 25 anthropic organizations.

1 (d) USE OF FUNDS.—A local community shall use
 2 the funds provided under a grant awarded under this sec-
 3 tion only for the purposes described in subsection (a).

4 (e) ADMINISTRATION.—A local community awarded
 5 a grant under this section may authorize a public or non-
 6 profit entity within the community to act as the fiscal
 7 agent for the administration of the program funded under
 8 the grant.

9 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
 10 authorized to be appropriated to carry out this section
 11 \$250,000,000 for each of fiscal years 1999 through 2003.

12 **TITLE VI—ENSURING THE QUAL-**
 13 **ITY OF FEDERAL CHILD CARE**
 14 **CENTERS**

15 **SEC. 601. QUALITY CHILD CARE FOR FEDERAL EMPLOYEES.**

16 (a) DEFINITIONS.—In this section:

17 (1) ACCREDITED CHILD CARE CENTER.—The
 18 term “accredited child care center” means—

19 (A) a center that is accredited, by a child
 20 care credentialing or accreditation entity recog-
 21 nized by a State, to provide child care to chil-
 22 dren in the State (except children who a tribal
 23 organization elects to serve through a center de-
 24 scribed in subparagraph (B));

1 (B) a center that is accredited, by a child
 2 care credentialing or accreditation entity recog-
 3 nized by a tribal organization, to provide child
 4 care for children served by the tribal organiza-
 5 tion;

6 (C) a center that is used as a Head Start
 7 center under the Head Start Act (42 U.S.C.
 8 9831 et seq.) and is in compliance with any ap-
 9 plicable performance standards established by
 10 regulation under such Act for Head Start pro-
 11 grams; or

12 (D) a military child development center (as
 13 defined in section 1798(1) of title 10, United
 14 States Code).

15 (2) CHILD CARE CREDENTIALING OR ACCREDI-
 16 TATION ENTITY.—The term “child care credentialing
 17 or accreditation entity” means a nonprofit private
 18 organization or public agency that—

19 (A) is recognized by a State agency or trib-
 20 al organization; and

21 (B) accredits a center or credentials an in-
 22 dividual to provide child care on the basis of—

23 (i) an accreditation or credentialing
 24 instrument based on peer-validated re-
 25 search;

- 1 (ii) compliance with applicable State
 2 and local licensing requirements, or stand-
 3 ards described in section 658E(c)(2)(E)(ii)
 4 of the Child Care and Development Block
 5 Grant Act (42 U.S.C. 9858c(c)(2)(E)(ii)),
 6 as appropriate, for the center or individual;
 7 (iii) outside monitoring of the center
 8 or individual; and
 9 (iv) criteria that provide assurances
 10 of—

11 (I) compliance with age-appro-
 12 priate health and safety standards at
 13 the center or by the individual;

14 (II) use of age-appropriate devel-
 15 opmental and educational activities, as
 16 an integral part of the child care pro-
 17 gram carried out at the center or by
 18 the individual; and

19 (III) use of ongoing staff devel-
 20 opment or training activities for the
 21 staff of the center or the individual,
 22 including related skills-based testing.

23 (3) CREDENTIALED CHILD CARE PROFES-
 24 SIONAL.—The term “credentialled child care profes-
 25 sional” means—

1 (A) an individual who is credentialed, by a
 2 child care credentialing or accreditation entity
 3 recognized by a State, to provide child care to
 4 children in the State (except children who a
 5 tribal organization elects to serve through an
 6 individual described in subparagraph (B)); or

7 (B) an individual who is credentialed, by a
 8 child care credentialing or accreditation entity
 9 recognized by a tribal organization, to provide
 10 child care for children served by the tribal orga-
 11 nization.

12 (4) STATE.—The term “State” has the mean-
 13 ing given the term in section 658P of the Child Care
 14 and Development Block Grant Act (42 U.S.C.
 15 9858n).

16 (b) PROVIDING QUALITY CHILD CARE IN FEDERAL
 17 FACILITIES.—

18 (1) DEFINITIONS.—In this subsection:

19 (A) ADMINISTRATOR.—The term “Admin-
 20 istrator” means the Administrator of General
 21 Services.

22 (B) ENTITY SPONSORING A CHILD CARE
 23 CENTER.—The term “entity sponsoring a child
 24 care center” means a Federal agency that oper-
 25 ates, or an entity that enters into a contract or

1 licensing agreement with a Federal agency to
2 operate, a child care center.

3 (C) EXECUTIVE AGENCY.—The term “Ex-
4 ecutive agency” has the meaning given the term
5 in section 105 of title 5, United States Code,
6 except that the term—

7 (i) does not include the Department of
8 Defense; and

9 (ii) includes the General Services Ad-
10 ministration, with respect to the adminis-
11 tration of a facility described in subpara-
12 graph (D)(ii).

13 (D) EXECUTIVE FACILITY.—The term “ex-
14 ecutive facility”—

15 (i) means a facility that is owned or
16 leased by an Executive agency; and

17 (ii) includes a facility that is owned or
18 leased by the General Services Administra-
19 tion on behalf of a judicial office.

20 (E) FEDERAL AGENCY.—The term “Fed-
21 eral agency” means an Executive agency, a ju-
22 dicial office, or a legislative office.

23 (F) JUDICIAL FACILITY.—The term “judi-
24 cial facility” means a facility that is owned or
25 leased by a judicial office (other than a facility

that is also a facility described in subparagraph
(D)(ii)).

(G) JUDICIAL OFFICE.—The term “judicial
office” means an entity of the judicial branch of
the Federal Government.

(H) LEGISLATIVE FACILITY.—The term
“legislative facility” means a facility that is
owned or leased by a legislative office.

(I) LEGISLATIVE OFFICE.—The term “leg-
islative office” means an entity of the legislative
branch of the Federal Government.

(2) EXECUTIVE BRANCH STANDARDS AND COM-
PLIANCE.—

(A) STATE AND LOCAL LICENSING RE-
QUIREMENTS.—

(i) IN GENERAL.—Any entity sponsor-
ing a child care center in an executive fa-
cility shall—

(I) obtain the appropriate State
and local licenses for the center; and

(II) in a location where the State
or locality does not license executive
facilities, comply with the appropriate
State and local licensing requirements
related to the provision of child care.

1 (ii) COMPLIANCE.—Not later than 6
2 months after the date of enactment of this
3 Act—

4 (I) the entity shall comply, or
5 make substantial progress (as deter-
6 mined by the Administrator) toward
7 complying, with clause (i); and

8 (II) any contract or licensing
9 agreement used by an Executive agen-
10 cy for the operation of such a child
11 care center shall include a condition
12 that the child care be provided by an
13 entity that complies with the appro-
14 priate State and local licensing re-
15 quirements related to the provision of
16 child care.

17 (B) HEALTH, SAFETY, AND FACILITY
18 STANDARDS.—The Administrator shall by regu-
19 lation establish standards relating to health,
20 safety, facilities, facility design, and other as-
21 pects of child care that the Administrator deter-
22 mines to be appropriate for child care centers
23 in executive facilities, and require child care
24 centers, and entities sponsoring child care cen-

1 ters, in executive facilities to comply with the
2 standards.

3 (C) ACCREDITATION STANDARDS.—

4 (i) IN GENERAL.—The Administrator
5 shall issue regulations requiring, to the
6 maximum extent possible, any entity spon-
7 soring an eligible child care center (as de-
8 fined by the Administrator) in an executive
9 facility to comply with child care center ac-
10 creditation standards issued by a nation-
11 ally recognized accreditation organization
12 approved by the Administrator.

13 (ii) COMPLIANCE.—The regulations
14 shall require that, not later than 5 years
15 after the date of enactment of this Act—

16 (I) the entity shall comply, or
17 make substantial progress (as deter-
18 mined by the Administrator) toward
19 complying, with the standards; and

20 (II) any contract or licensing
21 agreement used by an Executive agen-
22 cy for the operation of such a child
23 care center shall include a condition
24 that the child care be provided by an

1 entity that complies with the stand-
 2 ards.

3 (iii) CONTENTS.—The standards shall
 4 base accreditation on—

5 (I) an accreditation instrument
 6 described in subsection (a)(2)(B);

7 (II) outside monitoring described
 8 in subsection (a)(2)(B), by—

9 (aa) the Administrator; or

10 (bb) a child care
 11 credentialing or accreditation en-
 12 tity, or other entity, with which
 13 the Administrator enters into a
 14 contract to provide such monitor-
 15 ing; and

16 (III) the criteria described in
 17 subsection (a)(2)(B).

18 (D) EVALUATION AND COMPLIANCE.—

19 (i) IN GENERAL.—The Administrator
 20 shall evaluate the compliance, with the re-
 21 quirements of subparagraph (A) and the
 22 regulations issued pursuant to subpara-
 23 graphs (B) and (C), of child care centers,
 24 and entities sponsoring child care centers,
 25 in executive facilities. The Administrator

1 may conduct the evaluation of such a child
2 care center or entity directly, or through
3 an agreement with another Federal agency
4 or private entity, other than the Federal
5 agency for which the child care center is
6 providing services. If the Administrator de-
7 termines, on the basis of such an evalua-
8 tion, that the child care center or entity is
9 not in compliance with the requirements,
10 the Administrator shall notify the Execu-
11 tive agency.

12 (ii) EFFECT OF NONCOMPLIANCE.—

13 On receipt of the notification of noncompli-
14 ance issued by the Administrator, the head
15 of the Executive agency shall—

16 (I) if the entity operating the
17 child care center is the agency—

18 (aa) within 2 business days
19 after the date of receipt of the
20 notification, correct any defi-
21 ciencies that are determined by
22 the Administrator to be life
23 threatening or to present a risk
24 of serious bodily harm;

1 (bb) develop and provide to
2 the Administrator a plan to cor-
3 rect any other deficiencies in the
4 operation of the center and bring
5 the center and entity into compli-
6 ance with the requirements not
7 later than 4 months after the
8 date of receipt of the notification;

9 (cc) provide the parents of
10 the children receiving child care
11 services at the center with a noti-
12 fication detailing the deficiencies
13 described in items (aa) and (bb)
14 and actions that will be taken to
15 correct the deficiencies;

16 (dd) bring the center and
17 entity into compliance with the
18 requirements and certify to the
19 Administrator that the center
20 and entity are in compliance,
21 based on an onsite evaluation of
22 the center conducted by an inde-
23 pendent entity with expertise in
24 child care health and safety; and

1 (ee) in the event that defi-
2 ciencies determined by the Ad-
3 ministrator to be life threatening
4 or to present a risk of serious
5 bodily harm cannot be corrected
6 within 2 business days after the
7 date of receipt of the notification,
8 close the center or portion of the
9 center where the deficiency was
10 identified until such deficiencies
11 are corrected and notify the Ad-
12 ministrator of such closure; and

13 (II) if the entity operating the
14 child care center is a contractor or li-
15 censee of the Executive agency—

16 (aa) require the contractor
17 or licensee within 2 business days
18 after the date of receipt of the
19 notification, to correct any defi-
20 ciencies that are determined by
21 the Administrator to be life
22 threatening or to present a risk
23 of serious bodily harm:

24 (bb) require the contractor
25 or licensee to develop and provide

1 to the head of the agency a plan
2 to correct any other deficiencies
3 in the operation of the center and
4 bring the center and entity into
5 compliance with the requirements
6 not later than 4 months after the
7 date of receipt of the notification;
8 (cc) require the contractor
9 or licensee to provide the parents
10 of the children receiving child
11 care services at the center with a
12 notification detailing the defi-
13 ciencies described in items (aa)
14 and (bb) and actions that will be
15 taken to correct the deficiencies;
16 (dd) require the contractor
17 or licensee to bring the center
18 and entity into compliance with
19 the requirements and certify to
20 the head of the agency that the
21 center and entity are in compli-
22 ance, based on an onsite evalua-
23 tion of the center conducted by
24 an independent entity with exper-

1 tise in child care health and safe-
2 ty; and

3 (ee) in the event that defi-
4 ciencies determined by the Ad-
5 ministrators to be life threatening
6 or to present a risk of serious
7 bodily harm cannot be corrected
8 within 2 business days after the
9 date of receipt of the notification,
10 close the center or portion of the
11 center where the deficiency was
12 identified until such deficiencies
13 are corrected and notify the Ad-
14 ministrators of such closure,
15 which closure shall be grounds
16 for the immediate termination or
17 suspension of the contract or li-
18 cense of the contractor or li-
19 censee.

20 (iii) COST REIMBURSEMENT.—The
21 Executive agency shall reimburse the Ad-
22 ministrators for the costs of carrying out
23 clause (i) for child care centers located in
24 an executive facility other than an execu-
25 tive facility of the General Services Admin-

1 istration. If an entity is sponsoring a child
2 care center for 2 or more Executive agen-
3 cies, the Administrator shall allocate the
4 costs of providing such reimbursement
5 with respect to the entity among the agen-
6 cies in a fair and equitable manner, based
7 on the extent to which each agency is eligi-
8 ble to place children in the center.

9 (3) LEGISLATIVE BRANCH STANDARDS AND
10 COMPLIANCE.—

11 (A) STATE AND LOCAL LICENSING RE-
12 QUIREMENTS, HEALTH, SAFETY, AND FACILITY
13 STANDARDS, AND ACCREDITATION STAND-
14 ARDS.—The Architect of the Capitol shall issue
15 regulations approved by the Committee on
16 Rules and Administration of the Senate and the
17 Committee on House Oversight of the House of
18 Representatives for child care centers, and enti-
19 ties sponsoring child care centers, in legislative
20 facilities, which shall be no less stringent in
21 content and effect than the requirements of
22 paragraph (2)(A) and the regulations issued by
23 the Administrator under subparagraphs (B)
24 and (C) of paragraph (2), except to the extent
25 that the Architect with the consent and ap-

1 proval of the Committee on Rules and Adminis-
2 tration of the Senate and the Committee on
3 House Oversight of the House of Representa-
4 tives, may determine, for good cause shown and
5 stated together with the regulations, that a
6 modification of such regulations would be more
7 effective for the implementation of the require-
8 ments and standards described in subpara-
9 graphs (A), (B), and (C) of paragraph (2) for
10 child care centers, and entities sponsoring child
11 care centers, in legislative facilities.

12 (B) EVALUATION AND COMPLIANCE.—

13 (i) ARCHITECT OF THE CAPITOL.—

14 The Architect of the Capitol shall have the
15 same authorities and duties with respect to
16 the evaluation of, compliance of, and cost
17 reimbursement for child care centers, and
18 entities sponsoring child care centers, in
19 legislative facilities as the Administrator
20 has under paragraph (2)(D) with respect
21 to the evaluation of, compliance of, and
22 cost reimbursement for such centers and
23 entities sponsoring such centers, in execu-
24 tive facilities.

1 (ii) HEAD OF A LEGISLATIVE OF-
 2 FICE.—The head of a legislative office
 3 shall have the same authorities and duties
 4 with respect to the compliance of and cost
 5 reimbursement for child care centers, and
 6 entities sponsoring child care centers, in
 7 legislative facilities as the head of an Exec-
 8 utive agency has under paragraph (2)(D)
 9 with respect to the compliance of and cost
 10 reimbursement for such centers and enti-
 11 ties sponsoring such centers, in executive
 12 facilities.

13 (4) JUDICIAL BRANCH STANDARDS AND COM-
 14 PLIANCE.—

15 (A) STATE AND LOCAL LICENSING RE-
 16 QUIREMENTS, HEALTH, SAFETY, AND FACILITY
 17 STANDARDS, AND ACCREDITATION STAND-
 18 ARDS.—The Director of the Administrative Of-
 19 fice of the United States Courts shall issue reg-
 20 ulations for child care centers, and entities
 21 sponsoring child care centers, in judicial facili-
 22 ties, which shall be no less stringent in content
 23 and effect than the requirements of paragraph
 24 (2)(A) and the regulations issued by the Ad-
 25 ministrator under subparagraphs (B) and (C)

1 of paragraph (2), except to the extent that the
2 Director may determine, for good cause shown
3 and stated together with the regulations, that a
4 modification of such regulations would be more
5 effective for the implementation of the require-
6 ments and standards described in subpara-
7 graphs (A), (B), and (C) of paragraph (2) for
8 child care centers, and entities sponsoring child
9 care centers, in judicial facilities.

10 (B) EVALUATION AND COMPLIANCE.—

11 (i) DIRECTOR OF THE ADMINISTRA-
12 TIVE OFFICE OF THE UNITED STATES
13 COURTS.—The Director of the Administra-
14 tive Office of the United States Courts
15 shall have the same authorities and duties
16 with respect to the evaluation of, compli-
17 ance of, and cost reimbursement for child
18 care centers, and entities sponsoring child
19 care centers, in judicial facilities as the Ad-
20 ministrator has under paragraph (2)(D)
21 with respect to the evaluation of, compli-
22 ance of, and cost reimbursement for such
23 centers and entities sponsoring such cen-
24 ters, in executive facilities.

1 (ii) HEAD OF A JUDICIAL OFFICE.—

2 The head of a judicial office shall have the
 3 same authorities and duties with respect to
 4 the compliance of and cost reimbursement
 5 for child care centers, and entities sponsor-
 6 ing child care centers, in judicial facilities
 7 as the head of an Executive agency has
 8 under paragraph (2)(D) with respect to
 9 the compliance of and cost reimbursement
 10 for such centers and entities sponsoring
 11 such centers, in executive facilities.

12 (5) APPLICATION.—Notwithstanding any other
 13 provision of this section, if 8 or more child care cen-
 14 ters are sponsored in facilities owned or leased by an
 15 Executive agency, the Administrator shall delegate
 16 to the head of the agency the evaluation and compli-
 17 ance responsibilities assigned to the Administrator
 18 under paragraph (2)(D)(i).

19 (6) TECHNICAL ASSISTANCE, STUDIES, AND RE-
 20 VIEWS.—The Administrator may provide technical
 21 assistance, and conduct and provide the results of
 22 studies and reviews, for Executive agencies, and en-
 23 tities sponsoring child care centers in executive fa-
 24 cilities, on a reimbursable basis, in order to assist
 25 the entities in complying with this section. The Ar-

1 architect of the Capitol and the Director of the Admin-
2 istrative Office of the United States Courts may pro-
3 vide technical assistance, and conduct and provide
4 the results of studies and reviews, or request that
5 the Administrator provide technical assistance, and
6 conduct and provide the results of studies and re-
7 views, for legislative offices and judicial offices, re-
8 spectively, and entities operating child care centers
9 in legislative facilities and judicial facilities, respec-
10 tively, on a reimbursable basis, in order to assist the
11 entities in complying with this section.

12 (7) COUNCIL.—The Administrator shall estab-
13 lish an interagency council, comprised of all Execu-
14 tive agencies described in paragraph (5), a rep-
15 resentative of the Office of Architect of the Capitol,
16 and a representative of the Administrative Office of
17 the United States Courts, to facilitate cooperation
18 and sharing of best practices, and to develop and co-
19 ordinate policy, regarding the provision of child care
20 in the Federal Government.

21 (8) AUTHORIZATION OF APPROPRIATIONS.—
22 There is authorized to be appropriated to carry out
23 this section \$900,000 for fiscal year 1999 and such

- 1 sums as may be necessary for each subsequent fiscal
- 2 year.

